

FORM PTO-1390 (Modified) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE (REV. 11-2000)		ATTORNEY'S DOCKET NUMBER PP19016.003
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR Unassigned 10/506570
INTERNATIONAL APPLICATION NO. PCT/US03/06742	INTERNATIONAL FILING DATE 3 March 2003	PRIORITY DATE CLAIMED 1 March 2002

TITLE OF INVENTION
METHODS AND COMPOSITIONS FOR TREATMENT OF ISCHEMIA

APPLICANT(S) FOR DO/EO/US
Stephen D. HARRISON, Allan S. WAGMAN and Kathleen A. MARTIN

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 20 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20. ☒ A second copy of the published international application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. EV351355978US
23. ☒ Other items or information:

Copy of unsigned Declaration for Patent Application, Copy of Written Opinion, Response to Written Opinion and postcard

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.53(b))

INTERNATIONAL APPLICATION NO.

ATTORNEY'S DOCKET NUMBER

Unassigned
10/506570

PCT/US03/06742

PP19016.003

24. The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :

- ☐ Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1080.00
- ☐ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$920.00
- ☐ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$770.00
- ☒ International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$730.00
- ☐ International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$730.00

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☒ 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).

\$130.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	56 - 20 =	36	x \$18.00
Independent claims	4 - 3 =	1	x \$86.00

\$648.00

\$86.00

Multiple Dependent Claims (check if applicable). ☐

\$0.00

TOTAL OF ABOVE CALCULATIONS =

\$1,594.00

☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.

\$0.00

SUBTOTAL =

\$1,594.00

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).

\$0.00

TOTAL NATIONAL FEE =

\$1,594.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). ☐

\$0.00

TOTAL FEES ENCLOSED =

\$1,594.00

Amount to be: refunded	\$
charged	\$

- a. ☐ A check in the amount of _____ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 03-1664 in the amount of \$1,594.00 to cover the above fees.
- c. ☒ The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 03-1664
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

CHIRON CORPORATION
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P.O. Box 8097
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SIGNATURE

Young J. Suh

NAME

41,337

REGISTRATION NUMBER

1 September 2004

DATE

PATENT
PP19016.003

10/506570
DT03 Rec'd PCT/PTO 01 SEP 2004

**PATENT COOPERATION TREATY
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

International Application No.
PCT/US03/06742

International Filing Date
3 March 2003

Priority Date Claimed
1 March 2002

Title of Invention
METHODS AND COMPOSITIONS FOR TREATMENT OF ISCHEMIA

Applicants for DO/EO/US:
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CERTIFICATE OF MAILING BY EXPRESS MAIL

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Express Mail Mailing Label No.: EV351355978US

Date of Deposit: 1 September 2004

I hereby certify that the attached Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C.371, copy of International Search Report, copy of Published Specification, copy of Unsigned Declaration for Patent Application, International Preliminary Examination Report and Postal Receipt Card are being deposited with the United Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R.1.10 on the date indicated above and addressed to the Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: 1 September 2004

Melodi K. Dice
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